



ESTABLISHING PATERNITY AT BIRTH GIVES CHILDREN A GOOD START

by Texas Attorney General Greg Abbott

THE BIRTH OF A BABY BRINGS JOY, HOPE, love and happiness. And, for unmarried couples, it also brings an added responsibility – establishing paternity for their child.

Establishing paternity is one of the most important jobs the Attorney General's Child Support Division performs, because it guarantees a legal relationship between a father and his child. Under Texas law, a child born to a man and woman who are not married has no legal father. Establishing legal fatherhood is very important. It ensures that children are eligible for child support and benefits such as Social Security, veteran's survivor benefits and health insurance. Legal paternity also guarantees a father's parental rights should he and the mother separate. In addition, it enables the father's name to go on the birth certificate, which is important to a child.

Voluntary Acknowledgement of Paternity (AOP) is one way to establish paternity. The most convenient place and time to sign an AOP is usually at the hospital when the baby is born. The child's mother and father will likely be there together and eager to secure the child's legal connection to his or her father.

Most parents come to the hospital planning to put the father's name on the birth certificate. In Texas, however, a man who isn't married to the child's mother has to sign the

AOP before his name can go on the birth certificate. Hospitals are required to provide unwed parents with the opportunity to establish paternity and with information about the rights and responsibilities involved. Because the Acknowledgment of Paternity becomes a legal finding of paternity when it is filed with the state Vital Statistics Unit (VSU), it is very important that parents understand the responsibility to which they are committing.

If the parents are certain of the child's paternity, the father can sign the AOP at birth, and the hospital will file the form with the VSU for free.

When parents have questions about paternity, or one or both parents do not want to sign the voluntary Acknowledgment of Paternity, they can contact the OAG's Child Support Division for assistance. Paternity testing is free for parents who seek the OAG's help to establish their child's paternity.

The Office of the Attorney General is committed to helping unmarried parents make thoughtful, responsible decisions about paternity establishment. The Child Support Division has developed a Paternity Opportunity Program (POP) that trains and certifies hospital and birthing center employees to assist parents with the AOP process while the mother and child are still in the hospital. The POP staff — there is a

coordinator in each of the nine child support regions — provides hospitals with brochures and a video that discuss the benefits and responsibilities of paternity establishment. Hospital staff, in turn, provides this information to unmarried parents. Parents also can call (866) 255-2006 to receive information — in English or Spanish — about paternity establishment.

When a father can't be present for his child's birth, the Office of the Attorney General is happy to work with him to facilitate the AOP process. For example, when a military father will be deployed before his baby is born, he can contact the Attorney General's Office to sign an AOP prior to the birth. Then, the mother can take a copy of the AOP to the hospital when she delivers the baby, so the father's name appears on the birth certificate. Not only does the certified copy of the AOP help set a firm foundation for the child, but both mom and dad also can rest in the knowledge that if the unthinkable happens, the serviceman's child will be entitled to full veteran's benefits.

Together, the Attorney General's Office and birthing entities across the state are giving the children of Texas a sound start in life. If you would like more information about AOPs, please contact the Child Support Division at (866) 255-2006.

- May 2011

POINTS TO REMEMBER



ESTABLISHING PATERNITY

The Acknowledgment of Paternity (AOP) form allows unmarried fathers to voluntarily acknowledge paternity, when the mother agrees.

BENEFITS OF ESTABLISHING PATERNITY:

- Establishes legal fatherhood
- Makes the child eligible for child support and benefits, such as Social Security, veteran's survivor benefits and health insurance
- Protects a father's rights as a parent
- Encourages a father's involvement in his child's life

Unmarried parents can apply for free child support services by contacting the Office of the Attorney General at:

Child Support Division
Office of the Attorney General
P. O. Box 12017
Austin, TX 78711-2017
(800) 252-8014

Information on this and other topics is available on the Attorney General's website at www.texasattorneygeneral.gov.



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT